

REMARKS

Claims 1 through 11 are pending in the present application. Claims 1, 4, 5 and 9 are amended in the present response. Paragraphs 3 and 4 reject claims 1 through 3 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,234,223 to *Sakamaki* (hereinafter *Sakamaki* '223) in view of U.S. Patent 4,575,108 to *Whitehead* (hereinafter *Whitehead* '108), and *Sakamaki* '223 in view of U.S. Patent 4,627,627 to *Rohm* (hereinafter *Rohm* '627), respectively. Paragraph 5 indicates that claims 4 – 11 would be allowable if re-written in independent form.

A. Allowable Subject Matter

Applicants greatly appreciate Examiner's indication that claims 4 through 11 constitute allowable subject matter if re-written in independent form including all of the limitations of the base claim and any intervening claims. Applicants have so amended claims 4, 5 and 9, such that they are in condition for allowance.

B. Rejections Under 35 U.S.C. 103(a)

Applicants traverse the rejections of claims 1 -3 under 35 U.S.C. 103(a), for at least the reason that neither *Sakamaki* '223 in view of *Whitehead* '108 nor *Sakamaki* '223 in view of *Rohm* '627 discloses, teaches, or suggests a chuck having a nosepiece secured to the nose section of the chuck body, wherein the endwall of the nosepiece extends radially inwardly such that it defines an aperture with a diameter at least equal to that of axial bore.

The Office Action provides that *Sakamaki* '223 shows "a body 1, jaws 2, split nut 19 held together by band 20, outer sleeve 23, and bearing 21, 22 between the nut and body. *Sakamaki* lacks a nosepiece." The Office Action further provides that it would have been obvious to provide the *Sakamaki* chuck with the *Whitehead* nosepiece to keep debris out of the chuck and hold bits sufficiently to prevent them from being ejected out of the chuck when it is open. Even in the event such a combination is correct, however, the combination does not disclose the claimed nosepiece. More specifically, and as best seen in Figures 1 and 2, *Whitehead* '108 discloses a cap 25 made of elastomeric material so as to attach over the end of the chuck body 13 and jaws 15. Note, the elastomeric cap 25 of *Whitehead* '108 completely

encloses the end of the chuck body 13 and jaws 15, so that no aperture is formed by the inwardly depending endwall. Rather, crossed slots 27 are provided in the outer end 26 of the cap 25 such that drill bits can be inserted therethrough and secured in the chuck 11.

With regard to *Sakamaki* '223 in view of *Rohm* '627, the Office Action alleges that "*Rohm* shows an elastomeric nosepiece 36 which prevents debris from entering the chuck," and concludes it would have been obvious to provide the *Sakamaki* chuck with the *Rohm* nosepiece. As noted in the Office Action, *Rohm* '627 discloses "an end cap 36 or similar closure at the lower end of the chuck body 8 acting to prevent drilling debris from entering the drill chuck" (Col. 5, lines 59-61). To accomplish the stated objective, the aperture formed in the end cap 36 has a diameter approximately equal to that of the drill bit inserted therethrough. This is clearly shown in Figure 1 wherein the diameter D of the drill bit is smaller than the axial bore formed in chuck body 8 but is the same size as the aperture formed in the endcap 36. The aperture formed in the endcap 36 has a smaller diameter than that of the axial bore formed in the chuck body 8 and enlarging the aperture would be contrary to the stated purpose of the end cap.

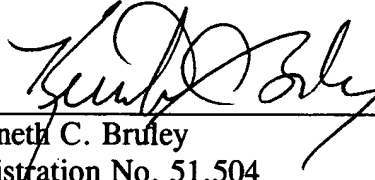
For at least the forgoing reasons, *Sakamaki* '223, *Whitehead* '108 and *Rohm* '627 alone, or in combination fail to teach or disclose each element of independent claim 1. As such, Applicants believe that independent claim 1 is presently in condition for allowance and that the rejections should be withdrawn. Claims 2 to 11 depend directly or indirectly from independent claim 1 and further recite limitations that are allowable in their respective combinations.

CONCLUSION

Applicants submit that the application is in condition for allowance. Favorable action and withdrawal of the present rejections are, therefore, respectfully requested. The Examiner is invited to call the undersigned at his convenience to resolve any remaining issues. Please charge any additional fees or credit any overpayment to Deposit Account No. 50-1196.

Respectfully submitted,

NELSON MULLINS RILEY &
SCARBOROUGH, L.L.P.

A handwritten signature in black ink, appearing to read 'Kenneth C. Bruley', is written over a horizontal line.

Kenneth C. Bruley
Registration No. 51,504

1320 Main Street
Columbia, South Carolina 29201
Office: (404) 817-6132
Fax: (803) 255-9831